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ISIS INNOVATION LIMITED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NATERA, INC.,  
  
Plaintiff,  
  
v.  
  
SEQUENOM, INC. and ISIS INNOVATION  
LIMITED,  
  
Defendants.

AND RELATED COUNTERCLAIMS

No. 12-CV-0132-SI

**STIPULATION AND ~~[PROPOSED]~~  
ORDER RE BILL OF COSTS**

Judge: The Honorable Susan Illston  
Ctmm: Courtroom 10, 19th Floor

Natera, Inc. (“Natera”), Sequenom, Inc. (“Sequenom”), and Isis Innovation, Limited (“Isis”) (collectively, the “Parties”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on November 18, 2013, the Parties entered into a stipulation regarding final judgment in order to expedite appeal of this action and the Court adopted the stipulation and entered judgment on November 20, 2013 (Docket No. 144);

WHEREAS, as part of the stipulation to avoid unnecessary expenditure of resources, the Parties agreed to defer issues regarding fees and costs and the Court ordered that: “All issues relating to fees and costs are reserved pending the outcome of any appeals, and the deadline for filing such motions shall be set by the Court, upon application by the Parties, after a ruling by the United States Court of Appeals for the Federal Circuit.” (Docket No. 144, at 4, ¶ 4.);

WHEREAS, on June 12, 2015, the United States Court of Appeals for the Federal Circuit issued a ruling affirming this Court’s final judgment;

WHEREAS, on June 27, 2016, the United States Supreme Court denied Sequenom’s Petition for a *Writ of Certiorari* and Sequenom’s appeals are exhausted;

NOW, THEREFORE, IT IS STIPULATED by and among the Parties through their respective counsel, pursuant to Civil Local Rules 6-2 and 7-12, as follows:

The Parties respectfully request that the Court enter the following schedule with regard to fees and costs of this matter:

1. Natera shall serve and file any Bill of Costs pursuant to Civil Local Rule 54-1 by July 11, 2016;
2. Sequenom and/or Isis shall file any objections to the Bill of Costs, after satisfying the meet and confer requirements of Civil L.R. 54-2(b), by July 29, 2016;
3. After considering any objections filed pursuant to Civil L.R. 54-2, Costs shall be taxed in conformity with 28 U.S.C. §§ 1920 and 1923, Civil L.R. 54-3, and all other applicable statutes. On the bill of costs or in a separate notice, the Clerk shall indicate

which, if any of the claimed costs are allowed and against whom such costs are allowed. The clerk shall serve copies of the notice taxing costs on all parties.

**IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

Dated: July 8, 2016

BARTKO, ZANKEL, BUNZEL, & MILLER

By: /s/ W. Paul Schuck  
W. Paul Schuck

Attorneys for Plaintiff and Counterclaim-  
Defendant NATERA, INC.

Dated: July 8, 2016

KAYE SCHOLER LLP

By: /s/ Peter E. Root  
Peter E. Root

Attorneys for Defendant and  
Counterclaim Plaintiff SEQUENOM, INC.

Dated: July 8, 2016

SATTERLEE STEPHENS BURKE & BURKE LLP

By: /s/ Mario Aieta  
Mario Aieta

Attorneys for Nominal Defendant  
ISIS INNOVATION LIMITED

**ATTESTATION OF E-FILER**

In compliance with Local Rule 5-1(i), the undersigned ECF user whose identification and password are being used to file this document, hereby attests that all signatories have concurred in the filing of this document.

July 8, 2016

/s/ W. Paul Schuck  
W. Paul Schuck

**[~~PROPOSED~~] ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 7/12, 2016



The Honorable Susan Illston  
United States District Court Judge

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